

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Robinson : Group Art Unit 2161  
Serial No.: 09/765,789 : Examiner: Apple  
Filed: January 19, 2001 :  
For: SYSTEM AND METHOD FOR BIOLOGICAL AUTHORIZATION FOR FINANCIAL  
TRANSACTIONS

**PETITION PURSUANT TO 37 C.F.R. §1.182**

**COMMISSIONER FOR PATENTS  
BOX PETITION  
P.O. BOX 1450  
ALEXANDRIA, VA 22313**

Sir:

The undersigned, through Power of Attorney filed with the United States Patent and Trademark Office on April 19, 2006, recently became Attorney of Record for the above referenced Application. After a thorough review of the file history, Applicant's Attorney identified a Petition filed May 14, 2001 which, it appears, has not been acted upon by the Office of Petitions of the United States Patent and Trademark Office.

Applicant hereby requests that the Petitions Office act upon the May 14, 2001 Petition and hereby submits the following facts of record:

1. On January 19, 2001, an Application including the Specification (28 pages), Informal Drawings (4 figures/4 sheets), Declaration and Power of Attorney and Check in the amount of \$808 was filed with the United States Patent and Trademark Office. This Application was accorded Serial No. 09/765,789 and all items were indicated as being filed pursuant to the copy of the postcard attached hereto and marked as Exhibit "A".

2. On March 14, 2001, the United States Patent and Trademark Office issued a Notice of Omitted Items in a Non-Provisional Application indicating that Figure 4 was omitted from the Application.

3. On May 14, 2001, Kevin L. Pontius, Reg. No. 37,512 filed a Petition together with the requisite fee in response to the Notice of Omitted Items in a Non-Provisional Application. A copy of this Petition is attached hereto and marked as Exhibit "B".

4. As of April 26, 2006, this Petition has not been acted upon by the United States Patent and Trademark Office.

5. On April 19, 2006, the undersigned became Attorney of Record for this Application.

6. Submitted herewith is a copy of Figure 4 as filed on January 19, 2001.

Applicant hereby Petitions for acceptance of the papers as originally filed on January 19, 2001 as indicated as being received by the United States Patent and Trademark Office on the date-stamped postcard attached hereto as Exhibit "A". In addition, Applicant requests that this Application be re-published in order for the Publication to include Figure. 4.

Applicant concurrently herewith grants authorization to charge a Credit Card in the amount of \$130.00 in payment of the Petition Fee. The Commissioner is hereby authorized to charge any additional payment of fee or credit any overpayment or refund to Deposit Account No. 50-0436.

Respectfully submitted,  
PEPPER HAMILTON LLP



W. Joseph Melnik  
Reg. No. 48,741

One Mellon Center, 50<sup>th</sup> Floor  
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Date: April 28, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Timothy Robinson

Serial No.: Not yet assigned

Group Art Unit

Filed: Herewith

Examiner:

For: **SYSTEM AND METHOD FOR BIOLOGICAL AUTHORIZATION FOR  
FINANCIAL TRANSCATIONS**

10970 U.S. PTO  
09/765789  
01/19/01

Enclosed please find the following:

1. Specification, abstract and claims (6 independent, 51 dependent, 57 total) (28 pages);
2. Informal drawings ( 4 figures, 4 sheets);
3. Declaration and Power of Attorney;
4. One check in the amount of \$808.00.

Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

EXPRESS MAIL LABEL No.:

EL 739321040 US

Timothy ROBINSON

Serial No.: 09/765,789

Group Art Unit: 2161

Filed: January 19, 2001

Examiner: not known

For: SYSTEM AND METHOD FOR  
BIOLOGICAL AUTHORIZATION FOR  
FINANCIAL TRANSACTIONS

**TRANSMITTAL LETTER**

Hon. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

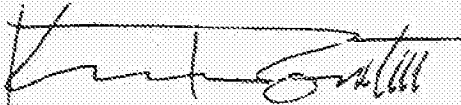
Enclosed please find the following:

1. Petition;
2. Copy of Formalities Letter captioned: *NOTICE OF OMITTED  
ITEM(S) IN A NONPROVISIONAL APPLICATION*;
3. Exhibit A - copy of date stamped postcard receipt; and
4. Check for \$130.00 (petition fee).

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579. The Commissioner is also authorized to charge Deposit Account No. 18-1579 for any future fees connected in any way to this application. Two copies of this letter are enclosed.

Respectfully submitted,

ROBERTS ABOKHAIR & MARCULA, LLC



Kevin L. Pontius

Registration No. 37,512

Date: May 14, 2001

Atty. Dkt. No.: 2439-002

**Exhibit B**

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Timothy ROBINSON

Serial No.: 09/765,789

Group Art Unit: 2161

Filed: January 19, 2001

Examiner: not known

For: SYSTEM AND METHOD FOR  
BIOLOGICAL AUTHORIZATION FOR  
FINANCIAL TRANSACTIONS

\* \* \* \* \*  
PETITION  
\* \* \* \* \*

Hon. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions for acceptance of the papers as originally filed on January 19, 2001 as constituting a complete application.

Submitted herewith is a return copy of a Formalities Letter (captioned: *NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION*) stating that the above-identified application appears to omit "Figure(s) 4 described in the specification."

No parts of the above-identified application were omitted. In particular, the application as filed included four (4) drawing figures, identified as "Fig. 1," "Fig. 2," "Fig. 3," and "Fig. 4." Each drawing was submitted on a corresponding single drawing sheet for a total of four (4) sheets of drawings.

Date: May 14, 2001

Atty. Dxt. No.: 2439-002

PETITION

Appln. No. 09/765,789

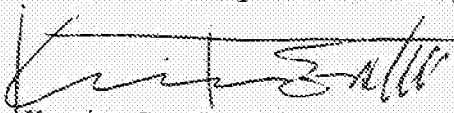
PATENT APPLICATION

Evidence of this is provided in the form of a date stamped postcard receipt indicating that all four (4) sheets of drawings of the above-identified application were received by the PTO. See Exhibit A, submitted herewith.

Thus, Fig. 4 was not omitted. If the PTO is in need of a replacement copy of Fig. 4, the undersigned will gladly provide one upon request.

A check for the required petition fee of \$130.00 is enclosed herewith. Refund of the fee is respectfully requested by credit to Deposit Account No. 18-1579. The Commissioner is also authorized to charge Deposit Account No. 18-1579 for any amount deemed necessary for consideration of this Petition.

Respectfully submitted,



Kevin L. Pontius  
Registration No. 37,512  
Roberts Abokhair & Mardula, LLC  
11800 Sunrise Valley Drive  
Suite 1000  
Reston, VA 20191

Date: March 26, 2001

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Atty. Dkt. No.: 2558-D03